

and drugs act as amended. The article was labeled in part: "100 Lbs. Net Buckeye 36% Protein Cottonseed Meal Manufactured by The Buckeye Cotton Oil Co., Cincinnati, Ohio Guarantee Protein 36.00%."

Misbranding of the article was alleged in the libel for the reason that the statement "100 Lbs. Net Protein 36.00%," borne on the label, was false and misleading and deceived and misled the purchaser, and for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On March 18, 1927, the Buckeye Cotton Oil Co., Cincinnati, Ohio, claimant, having admitted the allegations of the libel and having given bond in the sum of \$1,000, conditioned upon the faithful rebranding of the product, a decree was entered, ordering that the meal be released to the said claimant upon payment of the costs of the proceedings.

W. M. JARDINE, *Secretary of Agriculture.*

14964. Misbranding of alfalfa meal and molasses feed and dairy feed. U. S. v. 89 Sacks Alfalfa Meal and Molasses Feed and 100 Sacks Bar Nun Dairy Feed. Decrees of condemnation entered. Products released under bond. (F. & D. No. 21711. I. S. Nos. 15471-x, 15472-x. S. No. C-5401.)

On or about March 11, 1927, the United States attorney for the Northern District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 89 sacks of alfalfa meal and molasses feed and 100 sacks of Bar Nun dairy feed, at Birmingham, Ala., alleging that the articles had been shipped by the Sturges Co., from Meridian, Miss., the former about February 19, 1927, and the latter about February 23, 1927, and had been transported from the State of Mississippi into the State of Alabama, and charging misbranding in violation of the food and drugs act as amended. The articles were labeled in part, respectively: "100 Lbs. Net Alfalfa Meal And Molasses Manufactured by Royal Feed & Milling Co., Memphis, Tenn. Meridian, Miss. Guaranteed Analysis Crude Protein, not less than 10 per cent," or "100 Pounds Net Bar Nun Dairy Feed Manufactured by Sturges Company Meridian, Miss. Guaranteed Analysis: Protein, not less than 18.00%."

It was alleged in the libels that the articles were misbranded, in that the statements "100 Lbs." with respect to the alfalfa meal and molasses feed, and "100 Pounds," "Guaranteed Analysis: Protein, not less than 18.00%," with respect to the dairy feed, were false and misleading and deceived and misled the purchaser, and for the further reason that the articles were food in package form and failed to bear a plain and conspicuous statement of the quantity of the contents, since the statement made was not correct.

On March 16, 1927, the Sturges Co., Meridian, Miss., having appeared as claimant for the property and having admitted the allegations of the libels, judgments of condemnation were entered, and it was ordered by the court that the products be released to the said claimant upon the execution of bonds totaling \$1,000, conditioned in part that they be sold or otherwise disposed of only under the supervision of this department and after all Government requirements had been complied with.

W. M. JARDINE, *Secretary of Agriculture.*

14965. Adulteration of oranges and tangerines. U. S. v. 238 Field Crates Oranges, et al. Decrees entered releasing products under bond. (F. & D. Nos. 21761, 21762. I. S. Nos. 15460-x, 15464-x. S. Nos. C-5342, C-5343.)

On or about February 21 and 23, 1927, respectively, the United States attorney for the Northern District of Alabama, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 511 crates of oranges and 31 crates of tangerines, at Birmingham, Ala., alleging that the articles had been shipped by J. T. Futch, from Dade City, Fla., in part about February 16, 1927, and in part about February 19, 1927, and transported from the State of Florida into the State of Alabama, and charging adulteration in violation of the food and drugs act.

Examination of the article by the Bureau of Chemistry of this department showed that it was composed of frost-damaged fruit.

It was alleged in the libels that the articles were adulterated, in that they consisted wholly or in part of a decomposed vegetable substance.

On February 24, 1927, J. T. Futch, Dade City, Fla., having appeared as claimant for the property and it having been shown to the court that only portions of the said products were decomposed, decrees were entered, ordering that they be delivered to the claimant for the purpose of salvaging by removing and destroying the unfit fruit, upon the execution of bonds totaling \$1,000, conditioned upon the carrying out of the terms of the decrees, and that the portions found by a representative of this department as fit for human consumption be released.

W. M. JARDINE, *Secretary of Agriculture.*

14966. Adulteration and misbranding of butter. U. S. v. 23 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21845. I. S. No. 16524-x. S. No. E-6058.)

On April 7, 1927, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 23 tubs of butter, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Graceville Creamery Co., Graceville, Minn., March 26, 1927, and transported from the State of Minnesota into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that a substance deficient in butterfat had been mixed and packed therewith so as to reduce or lower or injuriously affect its quality or strength and had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the article was offered for sale under the distinctive name of another article.

On April 14, 1927, the Graceville Creamery Co., Graceville, Minn., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$700, conditioned in part that it be reworked and reprocessed so as to contain not less than 80 per cent of butterfat.

W. M. JARDINE, *Secretary of Agriculture.*

14967. Misbranding of potatoes. U. S. v. 579 Sacks of Potatoes. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21705. I. S. Nos. 15649-x, 15650-x. S. No. C-5338.)

On March 4, 1927, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 579 sacks of potatoes, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by Brown & Savage, from Burley, Idaho, in part February 19, 1927, and in part February 22, 1927, and transported from the State of Idaho into the State of Illinois, and charging misbranding in violation of the food and drugs act.

It was alleged in the libel that the article was misbranded, in that the statement "U. S. No. 1 Selected Idaho Potatoes Net Wt. 110 Pounds," borne on the labeling of the sacks, was false and misleading and deceived and misled the purchaser, since the said article did not meet the requirements of United States Grade No. 1 potatoes.

On March 7, 1927, S. Friedman & Son, Chicago, Ill., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, conditioned that it be relabeled by eliminating the words "U. S. Grade No. 1" from the said sacks.

W. M. JARDINE, *Secretary of Agriculture.*

14968. Adulteration of canned cherries. U. S. v. 7 Cases of Canned Cherries. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21738. I. S. No. 14713-x. S. No. E-6046.)

On March 17, 1927, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in